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# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

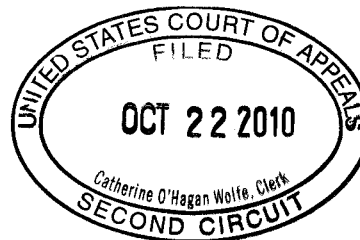
1:09-cv-00056-LBS

## SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 22<sup>nd</sup> day of October, two thousand ten.

PRESENT: JON O. NEWMAN,  
RALPH K. WINTER,  
GERARD E. LYNCH,  
*Circuit Judges.*



YURI YUSOV,  
*Petitioner-Appellant,*

v.

No. 09-5163-pr

JAMES M. SHAUGHNESSY, Supervisory Deportation Officer, *et al.*,  
*Respondents-Appellees.*

FOR APPELLANT: YURI YUSOV, *pro se*, New York, New York.

FOR APPELLEE: PATRICIA BUCHANAN, Assistant United States Attorney  
(Sue Chen, Special Assistant United States Attorney and  
Benjamin H. Torrance, Assistant United States Attorney, on  
the brief), *for* Preet Bharara, United States Attorney for the  
Southern District of New York, New York, New York.

Appeal from the United States District Court for the Southern District of New York  
(Leonard B. Sand, *Judge*).

MANDATE ISSUED ON 01/14/2011.

**UPON DUE CONSIDERATION**, it is hereby **ORDERED, ADJUDGED, AND DECREED** that the district court judgment is **AFFIRMED**.

Petitioner-Appellant Yuri Yusov, *pro se*, appeals from the November 20, 2009 judgment of the United States District Court for the Southern District of New York (Sand, J.) denying his 28 U.S.C. § 2241 petition. We assume the parties' familiarity with the underlying facts and the procedural history of the case.

This Court reviews the denial of a § 2241 petition *de novo*. See *Armstrong v. Guccione*, 470 F.3d 89, 96 (2d Cir. 2006). Having reviewed the appellant's contentions on appeal and the record of proceedings below, we affirm for substantially the same reasons stated by the district court in its thorough opinion.

We note, however, that while the appellant's broad-based attack on the conditions of his release is without merit, our rejection of that attack does not represent an endorsement of the reasonableness of any particular condition. As the government pointed out at oral argument, the appellant remains free to request changes in those conditions from the agency, and to pursue administrative appeals of the denial of any such requests. The dismissal of the present action is without prejudice to any avenue of judicial review that may be available to the appellant to challenge any final decision of the agency rejecting such specific requests.

Accordingly, the judgment of the district court is **AFFIRMED**.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk



A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

